

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

MICHELE VERTERAMO,

Plaintiff,

V.

LOUIS DEJOY, Postmaster General,

Defendant.

Civil Action No. 22-960 (JXN) (ESK)

MEMORANDUM OPINION

&

ORDER

NEALS, District Judge:

Before the Court is the motion for summary judgment (ECF No. 34) of Defendant Louis DeJoy, Postmaster General of the United States Postal Service (“Defendant”), and the cross-motion for summary judgment of *pro se* Plaintiff Michele Verteramo (“Plaintiff”) (ECF No. 37), filed pursuant to Federal Rule of Civil Procedure 56 and Local Civil Rule 56.1. Without expressing any view as to the merits, the Court affords the parties the opportunity to cure deficiencies in their respective motions for summary judgment.

1. Local Civil Rule 56.1(a) requires the parties to “furnish a statement which sets forth material facts as to which there does not exist a genuine issue, in separately numbered paragraphs” Further, “[e]ach statement of material facts shall be a separate document (not part of a brief) and shall not contain legal argument or conclusions of law.” *Ibid.* To that end, a “motion for summary judgment unaccompanied by a statement of material facts not in dispute shall be dismissed.” *Ibid.*

2. Defendant did not submit a separate statement of undisputed material facts in support of the motion for summary judgment, but instead a statement in its brief (the “SOMF”) (ECF No. 34-2 at 7-13¹), which is not in separately numbered paragraphs. *Ibid.*

3. Plaintiff similarly did not file a separate statement of material facts. (ECF No. 37 at 12-15).

4. Pursuant Federal Rule of Civil Procedure 56(e)(1), (4), which permits the Court to allow the parties “to properly support or address the fact” or “issue any other appropriate order[.]” it is hereby,

ORDERED that Defendant and Plaintiff shall each file a separate statement of material facts not in dispute in support of their respective motion for summary judgment (ECF Nos. 34, 37) within 15 days of the date of this Order, or on or before March 26, 2024; it is further

ORDERED that Defendant and Plaintiff shall file a responsive statement of material facts within 20 days thereafter, or on or before April 15, 2024; and it is further

ORDERED that the Clerk of Court shall **ADMINISTRATIVELY TERMINATE** the pending motions for summary judgment (ECF Nos. 34, 37) subject to restoration to the active docket should the parties file the statements of material facts not in dispute, and the responsive statements thereto, within the specified time.

DATED: 3/11/2024

s/ Julien Xavier Neals
JULIEN XAVIER NEALS
United States District Judge

¹ The Court refers to the ECF page numbers.